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June 18, 1993

Mr. Jonathan A. Bernstein
Assistant General Counsel
Federal Election Commission
Washington DC 20463

Re: MUR 3774

Dear Mr. Bernstein:

As you have been advised, we represent the National Right to Life Political Action Committee (NRLPAC) and its Treasurer, Amarie Natividad. Enclosed please find our clients' designation of counsel in the above-referenced matter.

NRLPAC was advised by you, in a letter dated May 20, 1993 (received May 24, 1993), that "[t]he Federal Election Commission received a complaint which indicates that the National Right to Life PAC ("Committee") . . . may have violated the Federal Election Campaign Act" Your letter continued by advising NRLPAC and its Treasurer of "the opportunity to demonstrate in writing that no action should be taken against the Committee and [the treasurer]." We take this opportunity to do so.

We have examined the Complaint you enclosed. It in no way makes any complaint of unlawful activity against NRLPAC. Specifically, the complaint alleges that NRSC donated \$45,000 to the National Right to Life Committee, Inc. (hereinafter NRLC) (not to its PAC) and, during the same time, the NRLPAC (not NRLC) made independent expenditures in support of Paul Coverdell, as well as making a contribution to his campaign. See page 4 of the Complaint.

This recitation of facts describes a completely legal event. It is perfectly legal for NRSC to make a contribution to NRLC, as long as it is reported, which it was, and it is perfectly legal for NRLC to accept such a contribution. Furthermore, it is perfectly legal for the NRLPAC to make independent expenditures and political contributions, as were described in the Complaint, as long as they are reported and within applicable limits, which they were. Furthermore, there is no legal prohibition on these events happening in the same time period.

In addition, the only election-related activity which was engaged in by NRLC was non-partisan, issue-oriented, get-out-the-

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vote activity. A copy of the script of the get-out-the-vote telephone calls is attached as Exhibit 1. Non-partisan, issue-oriented, get-out-the-vote activity, as engaged in by NRLC, is also completely legal.

Thus, the complaint, and information provided with it, demonstrates on its face that neither NRSC, NRLC, nor NRLPAC violated any provision of the FECA. As a result, this complaint should be dismissed.

Sincerely,

BOPP, COLESON & BOSTROM



James Bopp, Jr.
Richard E. Coleson

2 Enclosures
pc: Amarie Natividad
Wanda Franz, Ph.D.

CARD 1: GET OUT THE VOTE MESSAGE

Hello. Your vote in tomorrow's run-off Senate election is crucial.

(WHY-CH) Wyche Fowler supports an abortion-on-demand bill, which allows abortion for any reason, even on teenage girls without their parents' knowledge. (WHY-CH) Wyche Fowler has voted to allow tax funded abortion.

Paul (COVER-DELL) Coverdell supports Georgia's parental notice law and opposes the abortion-on-demand bill. Paul (COVER-DELL) Coverdell is against using tax dollars for abortion.

Please vote tomorrow. Thank you!

CODE AS DISPOSITION Y/PRESS F2 KEY IMMEDIATELY

COMMUNICATORS: (WHY-CH) CH pronounced as in Choo Choo)

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COMMUNICATORS: DISPOSITION KEY:

A = ANSWERING MACHINES
C = CHILD ANSWER (NO ADULT HOME)
W = WRONG NUMBER AND SPECIAL OUTS
Y = CONTACT

Exhibit 1

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3774

NAME OF COUNSEL: James Bopp & Richard E. Coleson

ADDRESS: 2 Fenwick Square
401 Ohio St.
P.O. Box 8100

Terre Haute, IN 47808-8100

TELEPHONE: 812 / 232-2434

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

5/24/93
Date


Signature

RESPONDENT'S NAME: Dmarie Hativich

ADDRESS: National Right To Life PAC
419 7th St. NW. #500
Washington, D.C. 20004

HOME PHONE: 

BUSINESS PHONE: 202 / 626-8800